

Section 8

Landlord Incentive Program



The Section 8 Landlord Incentive Program provides financial assistance to landlords to mitigate damages caused by tenants under the HUD Housing Choice Voucher Program, commonly known as Section 8. The goal of the program is to reduce financial risk for landlords to encourage them to open more rental units to Section 8 tenants. The program is administered by the Department of Workforce Services Housing and Community Development Division.

ELIGIBILITY REQUIREMENTS

To be eligible for the program, landlords must have leased to tenants through the HUD Housing Choice Voucher Program (Section 8). A landlord may apply for financial assistance to reimburse him or her for qualifying damages to Utah rental properties for which a judgment was handed down on July 1, 2017 or later. The damages to the residence must exceed normal wear and tear.

A landlord must first obtain a judgment against a tenant from any Utah legal court in the county in which either the tenant or the property is located. The time frame for appeal of the judgment must have expired without appeal or the judgment must otherwise not be subject to further judicial review.

Program assistance is limited to reimbursement for those amounts covered in a final judgment, less treble damages. Claim reimbursements may include expenses related to property damage, or other damages listed below that are satisfactorily described and documented in a claim from the landlord. Property damage claims must include all of the following:

- A Utah Court judgment dated July 1, 2017 or later for damages that resulted from a tenancy under a HUD Housing Choice Voucher (Section 8) lease
- Documentation that the property damage was caused as a result of a tenant's occupancy, pursuant to a rental agreement in force under the Housing Choice Voucher Program at the time the damage was incurred
- Certification that damages to property were incurred during the term of lease and exceed normal wear and tear
- Requests for expenses of not less than \$500, but total claims payment of not more than \$5,000 per tenancy

A JUDGMENT (less treble damages) may be paid in the full amount of \$500 – 5,000.

Qualifying Damages

- Property damage in the amount of the legal judgment for damage incurred as a result of tenant's occupancy under a Section 8 lease
- Attorney fees
- Court costs and fees
- Lost rent
- Actual damages will be paid; treble damages are excluded



APPLICATION PROCESS

A landlord must submit a claim for program assistance to the Housing and Community Development Division after having obtained a judgment against a qualified tenant (while funds are available). The time frame for appeal of the judgment must have expired without appeal or the judgment must otherwise not be subject to further judicial review.

After submission of the application, the Housing and Community Development Division will notify applicants if the application is incomplete within 10 days. The division will process applications and approve payments to landlords within 45 days of receiving a complete application.

Checks or electronic transfers will be sent directly to the landlord once the landlord has signed the satisfaction of judgment. After receiving payment, a landlord must file the satisfaction of judgment within 30 days. A copy of the filed satisfaction of judgment must be delivered to the department within 10 days of filing.

Future rent is excluded from claims to this fund. Damage claims and claims for rent lost while repairs were being made may be treated as two separate claims; therefore they may be in separate judgments. When a landlord signs the satisfaction of judgment for a damage claim, the landlord is still eligible to file a second claim for a judgment for rent lost due to time required to make qualifying repairs (apart from normal time required to re-rent the property) as long as total payment is under \$5,000 per tenant.



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Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities by calling 801-526-9240. Individuals with speech or hearing impairments may call the Relay Utah by dialing 711. Spanish Relay Utah: 1-888-346-3162.